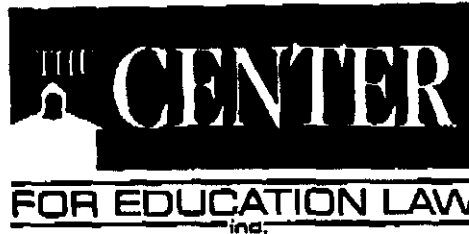


Attorneys

F. Andrew Fugitt  
Laura L. Holmes  
Stephanie J. Mather  
Teresa M. Rose

Of Counsel

William P. Bleakley  
Linda Maria Meoh



900 N. Broadway, Suite 300  
Oklahoma City, OK 73102

(405) 528-2800  
FAX (405) 528-5800

center@cfe.l.com

## FAX COVER SHEET

97-21

DATE: March 19, 2004

TO: CCB Secretary of the Federal Communications Commission

FAX: (202) 418-0187

FROM: The Center For Education Law  
900 N. Broadway, Suite 300  
Oklahoma City, OK 73102  
Tel. (405) 528-2800  
FAX (405) 528-5800

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MAR 19 2004

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SENT BY: Laura L. Holmes

Number of Pages Including Cover Sheet: Fax #1 of 2, consisting of 45 pages (including the cover page)

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## MESSAGE:

Dear Secretary:

Please file the attached "Request For Review of The Decision of The Universal Service Administrator By Oklahoma City School District I-89". You may contact me as stated below:

Laura L. Holmes  
900 N. Broadway, Suite 300  
Oklahoma City, OK 73102  
Telephone: (405) 528-2800  
Facsimile: (405) 528-5800  
E-Mail: L.Holmes@cfe.l.com

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Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
 Washington, D.C. 20554

In the Matter of )

Request for Review of the Decision of the )  
 Universal Service Administrator by )

**Oklahoma City School District I-89** )

Federal-State Joint Board on )  
 Universal Service )

Changes to the Board of Directors of the )  
 National Exchange Carrier Association, Inc. )

CC Docket No. 96-45

CC Docket No. 97-21

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**REQUEST FOR REVIEW OF THE DECISION OF THE  
 UNIVERSAL SERVICE ADMINISTRATOR BY  
 OKLAHOMA CITY SCHOOL DISTRICT I-89**

Laura L. Holmes  
 Oklahoma City School District I-89  
 900 N. Broadway, Suite 300  
 Oklahoma City, OK 73102  
 (405) 528-2800  
 (405) 528-5800 (facsimile)  
 L.Holmes@cfel.com

Counsel for Oklahoma City School District I-89

March 18, 2004

**TABLE OF CONTENTS****Request for Review**

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B.	The District complied with all applicable competitive bidding requirements and with all applicable eligible service requirements .....	7
V.	CONCLUSION .....	11
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**TABLE OF EXHIBITS**

1. January 10, 2000 Board Minutes
2. July 1, 2000 Plexar Contract with Southwestern Bell Telephone Company
3. Affidavit of Jan Powell
4. Funding Year 2001 Form 471
5. August 7, 2001 Funding Commitment Decision Letter
6. Funding Year 2002 Form 470
7. October 22, 2001 Receipt Notification Letter
8. Funding Year 2002 Form 471
9. Affidavit of George Kimball
10. November 16, 2001 Pioneer Messaging Solutions Bid Proposal
11. Pioneer Messaging Solutions bill dated August 28, 2003
12. March 10, 2003 Funding Commitment Report.
13. Funding Year 2003 Form 471
14. Funding Year 2003 Funding Commitments
15. January 22, 2004 Administrator's Decision on Appeal

## **I. Introduction**

Pursuant to 47 C.F.R. § 54.719, Oklahoma City School District I-89 ("Oklahoma City Public Schools" or "OCPS" or "District"), hereby submits its Request for Review of the Universal Service Administrator's January 22, 2004 Decision on Appeal.

## **II. Summary**

Oklahoma City Public Schools respectfully requests that the FCC review a decision of the Universal Service Administrator regarding E-rate funding for Funding Year 2002. On March 10, 2003, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company issued a Funding Commitment Decision Letter ("FCDL") which denied Funding Request Numbers (FRN) 855497, 855588, and 855634. On May 7, 2003, the District appealed that decision to the SLD. On January 22, 2004, the SLD issued its Decision on Appeal denying the appeal on the basis that "your application(s) demonstrates factual circumstances similar to those described in the *Ysleta Order* (FCC 03-313 rel. December 8, 2003). The SLD denied the FCC Form 471 Application Number(s) indicated above because you engaged in the same or similar procurement practices that are described in the *Ysleta Order* and attached appendix." Exhibit 15.

## **III. Factual Background:**

1. On January 10, 2000, the District's Board of Education considered and approved entering into a contract with Southwestern Bell Telephone Company ("SBC") for local phone service. Exhibit 1.

2. The District and SBC entered into a written contract entitled Plexar II Fixed Rate Payment Plan Agreement ("Plexar Contract") in March of 2000. The Plexar Contract has an effective date of July 1, 2000 and an expiration date of June 30, 2005. The contract number is OK-4325. Exhibit 2. The monthly cost for the Plexar Contract is \$32,780.75. Exhibit 3.
3. On January 8, 2001, the District submitted an FCC Form 471 for Funding Year 2001<sup>1</sup>. The Form 471 includes in Block 5 a request for telecommunications and references a contract with SBC which has an expiration date of June 30, 2005. The Form 471 and the Description of Service Attachment reference a contract number of OK99016. The Description of Service is for local telephone service including POTS, Centrex, DID trunks, 19.8Kb data lines, ISDN lines, and T-1's, approximately 1,500 stations and 350 trunks for multiple accounts. The Form 471 requested \$505,995.81 based on the referenced contract. Exhibit 4.
4. On August 7, 2001, the SLD approved the requested funding for telecommunications services with SBC for Funding Year 2001 in the amount of \$505,995.81. Exhibit 5.
5. On October 16, 2001, the District submitted to SLD an FCC Form 470 for Funding Year 2002 (07/01/2002 - 06/30/2003). The Form 470 provided in Block 7 that it described tariffed services, month-to-month services for which the applicant has no signed, written contract, and services for which a new written contract is sought. Block 8 of the Form 470 lists the telecommunications services which the District was seeking, including basic telephone service and wireless services such as cellular and paging. Exhibit 6.

---

<sup>1</sup> The District refers to funding years by the year in which funding is to commence. Previously SLD referred to the funding year in numerical sequence. Funding Year 2001 is the same as Funding Year 4.

6. The District received a Form 470 - Receipt Notification Letter dated October 22, 2001 which indicated that the Form 470 was posted on October 17, 2001. Exhibit 7.
7. On January 17, 2002, the District submitted its Form 471 for Funding Year 2002. Block 5 for FRN 855588 requests telecommunications services from SBC. Item 15 refers to Contract Number OK99016. Item 18 refers to a contract award date of July 1, 2000, and Item 20 refers to a contract expiration date of June 30, 2005. Exhibit 8.
8. As set forth in the District's January 17, 2002 Form 471, the District contracts for wireless telephone services and paging services on a month-to-month basis. Block 5 for FRN 855497 for Southwestern Bell Wireless, Inc. specifically states in Item 15 that the Contract Number is "MTM" which is the designation required for month-to-month contracts. Copies of applicable billings for wireless telephone services from Cingular Wireless (formerly Southwestern Bell Wireless, Inc.) were provided with the Form 471. For FRN 855634 for Pioneer Telephone Cooperative, Inc., Item 15 specifies that the contract number is MTM with a service start date of July 1, 2002 and service end date of June 30, 2003. The attachment for Pioneer also indicates that the services are month-to-month services at a rate of \$6.25 per month. Exhibit 8.
9. For Funding Year 2002, Cingular Wireless was awarded a contract by the State of Oklahoma. See [http://www.dcs.state.ok.us/OKDCS.NSF/htmlmedia/sw\\_contracts.html](http://www.dcs.state.ok.us/OKDCS.NSF/htmlmedia/sw_contracts.html). As set forth in Paragraph 2.23 of the contract, school districts are authorized users of the contract and may purchase services according to the rate plans set forth in the contract. The applicable rate plans for the Oklahoma City area begin on Page 14 and are referred to as BP19503. The

April 30, 2002 Notice of Addendum indicates that the contract was renewed for the period of July 1, 2002 through June 30, 2003. Exhibit 9.

10. In determining to utilize Cingular Wireless for the District's 2002-2003 fiscal year (E-rate Funding Year 2002), the primary consideration was price. The State of Oklahoma conducted a competitive bidding process and selected Cingular Wireless as a service provider. The award of a contract by the State of Oklahoma evidenced that price was the primary factor in awarding the contract to Cingular Wireless. Therefore, the District selected Cingular Wireless based on the prices set forth in the State of Oklahoma contract. The District considered price as the primary factor in ordering month-to-month cellular services from Cingular Wireless based on the rates set forth in the State of Oklahoma contract. Exhibit 9.
11. Pioneer was the only bidder for paging services. The bid proposal sets forth paging airtime at a cost of \$1.75 per month and pager care at a cost of \$2.50 per month. Exhibit 10.
12. After receiving Pioneer's bid, the District and Pioneer negotiated an agreement as to paging services. Pioneer is billing the District for paging services at the rate of \$6.25 per month. Additionally, Pioneer bills for pager care at the rate of \$1.00 per month. The District's Form 471 did not request funding for the amount attributable to pager care. Exhibits 8 and 11.
13. SLD issued a Funding Commitment Decision Letter on March 10, 2003. The Funding Commitment Report sets forth the explanations for the denial of certain requested services as follows:

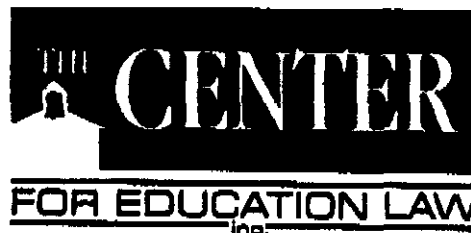


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center@cfel.com

**FAX COVER SHEET**

**DATE:** March 19, 2004

**TO:** CCB Secretary of the Federal Communications Commission

**FAX:** (202) 418-0187

**FROM:** The Center For Education Law  
900 N. Broadway, Suite 300  
Oklahoma City, OK 73102  
Tel. (405) 528-2800  
FAX (405) 528-5800

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**MESSAGE:**

**Dear Secretary:**

Please file the attached "Request For Review of The Decision of The Universal Service Administrator By Oklahoma City School District I-89". You may contact me as stated below:

Laura L. Holmes  
900 N. Broadway, Suite 300  
Oklahoma City, OK 73102  
Telephone: (405) 528-2800  
Facsimile: (405) 528-5800  
E-Mail: LHolmes@cfel.com

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**Schools and Libraries Universal Service Program  
Services Ordered and Certification Form 471  
Application Display**

[Refresh Page](#)[Close Print Preview](#)

**Block 1: Billed Entity Information**

Applicant's Form Identifier: OKCPS YR 5

471 Application Number: 315578 Funding Year: 07/01/2002 - 06/30/2003 Billed Entity Number: 139831

Name: OKLAHOMA CITY SCHOOL DIST I-89  
Address: 900 N KLEIN AVE  
City: OKLAHOMA CITY State: OK Zip: 73106 7036  
Phone: 405-297-6522 Ext:  
Fax: 405-297-6548  
E-mail: sdfinch@okcps.org

Contact Name: Steve Finch  
Address: 900 N KLEIN AVE  
City: OKLAHOMA CITY State: OK Zip: 73106 7036  
Contact Phone: 405-297-6430 Ext:  
Contact Fax: 405-297-6773 Ext:  
E-mail: ljrcraig@okcps.org  
Contact Mode: EMAIL  
Alternate Contact Info.:

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Type of Application: SCHOOL

Ineligible Orgs: N

**Block 3: Impact of Services Ordered in THIS Application**

Number of students to be served: 40313

Number of library patrons to be served:

SERVICE DESCRIPTION	BEFORE ORDER	AFTER ORDER
a. (Schools/districts/consortia only) Telephone service: How many classrooms had phone service before and after your order?	0	1613
b. High-bandwidth voice/data/video service: How many buildings served before and after your order?	0	98
c. High-bandwidth voice/data/video service: Highest speed to a building before and after your order?	356/1MB	TP25
d. Dial-up Internet connections: How many before and after your order?	0	0
e. Dial-up Internet connections: Highest speed before and after your order?	N/A	N/A
f. Direct connections to the Internet: How many before and after your order?	2000	11000
g. Direct connections to the Internet: Highest speed before and after your order?	1MB	10MB
h. Internet access(for schools): How many rooms have internet access before and	312	1613

after your order?		
i. Internet Access: How many computers (or other devices) with Internet access before and after your order?	2000	11000

## Block 4: Worksheets

Worksheet A No: 385033 Student Count: 40313  
 Weighted Product (Sum, Column 8): 33663.9 Shared Discount: 84%

1. School Name: ADAMS ELEMENTARY SCHOOL  
 2. Entity Number: 83807 3. Rural/Urban: Urban  
 4. Student Count: 499 5. NSLP Students: 487 6. NSLP Students/Students: 93.587%  
 7. Discount: 90% 8. Weighted Product: 449.1

1. School Name: ALTERNATIVE MIDDLE SCHOOL  
 2. Entity Number: 83776 3. Rural/Urban: Urban  
 4. Student Count: 37 5. NSLP Students: 37 6. NSLP Students/Students: 100.000%  
 7. Discount: 90% 8. Weighted Product: 33.3

1. School Name: ARTHUR ELEMENTARY SCHOOL  
 2. Entity Number: 83810 3. Rural/Urban: Urban  
 4. Student Count: 387 5. NSLP Students: 343 6. NSLP Students/Students: 88.630%  
 7. Discount: 90% 8. Weighted Product: 348.3

1. School Name: ASTEC SCHOOL  
 2. Entity Number: 217102 3. Rural/Urban: Urban  
 4. Student Count: 225 5. NSLP Students: 60 6. NSLP Students/Students: 26.666%  
 7. Discount: 50% 8. Weighted Product: 112.5

1. School Name: BELLE ISLE SECONDARY SCHOOL  
 2. Entity Number: 83772 3. Rural/Urban: Urban  
 4. Student Count: 393 5. NSLP Students: 234 6. NSLP Students/Students: 59.541%  
 7. Discount: 80% 8. Weighted Product: 314.4

1. School Name: BODINE ELEMENTARY SCHOOL  
 2. Entity Number: 83847 3. Rural/Urban: Urban  
 4. Student Count: 585 5. NSLP Students: 528 6. NSLP Students/Students: 93.286%  
 7. Discount: 90% 8. Weighted Product: 509.4

1. School Name: BRITTON ELEMENTARY SCHOOL  
 2. Entity Number: 83778 3. Rural/Urban: Urban  
 4. Student Count: 365 5. NSLP Students: 331 6. NSLP Students/Students: 90.684%  
 7. Discount: 90% 8. Weighted Product: 328.5

1. School Name: BUCHANAN ELEMENTARY SCHOOL  
 2. Entity Number: 83713 3. Rural/Urban: Urban  
 4. Student Count: 379 5. NSLP Students: 300 6. NSLP Students/Students: 79.155%  
 7. Discount: 90% 8. Weighted Product: 341.1

23i. Total program year pre-discount amount ( 23e + 23h): \$12,024.00

23j. % discount (from Block 4): 84

23k. Funding Commitment Request ( 23i x 23j): \$10,100.16

FRN: 855588

11. Category of Service: Telecommunications Service

12. 470 Application Number: 595520000370566

13. SPIN: 143004662

14. Service Provider Name: Southwestern Bell Telephone Company

15. Contract Number: OK99016

16. Billing Account Number:

17. Allowable Contract Date: 11/13/2001

18. Contract Award Date: 07/01/2000

19a. Service Start Date: 07/01/2002

19b. Service End Date:

20. Contract Expiration Date: 06/30/2005

21. Attachment #: SWB Attach

22. Block 4 Worksheet No.: 385033

23a. Monthly Charges: \$48,000.00

23b. Ineligible monthly amt.: \$0.00

23c. Eligible monthly amt.: \$48,000.00

23d. Number of months of service: 12

23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$576,000.00

23f. Annual non-recurring (one-time) charges: \$0.00

23g. Ineligible non-recurring amt.: \$0.00

23h. Annual pre-discount amount for eligible non-recurring charges ( 23f + 23g): \$0.00

23i. Total program year pre-discount amount ( 23e + 23h): \$576,000.00

23j. % discount (from Block 4): 84

23k. Funding Commitment Request ( 23i x 23j): \$483,840.00

FRN: 855634

11. Category of Service: Telecommunications Service

12. 470 Application Number: 595520000370566

13. SPIN: 143002395

14. Service Provider Name: Pioneer Tel. Coop. Inc.

15. Contract Number: MTM

16. Billing Account Number:

17. Allowable Contract Date: 11/13/2001

18. Contract Award Date:

19a. Service Start Date: 07/01/2002

19b. Service End Date: 06/30/2003

20. Contract Expiration Date:

21. Attachment #: PIONEER Attach

22. Block 4 Worksheet No.: 385033

23a. Monthly Charges: \$1,687.50

23b. Ineligible monthly amt.: \$0.00

23c. Eligible monthly amt.: \$1,687.50

23d. Number of months of service: 12

23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$20,250.00

23f. Annual non-recurring (one-time) charges: \$0.00

23g. Ineligible non-recurring amt.: \$0.00

23h. Annual pre-discount amount for eligible non-recurring charges ( 23f + 23g): \$0.00

23i. Total program year pre-discount amount ( 23e + 23h): \$20,250.00

23j. % discount (from Block 4): 84

23k. Funding Commitment Request ( 23i x 23j): \$17,010.00

FRN: 856873

23a. Monthly Charges: \$2,778.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$2,778.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$33,336.00	
23f. Annual non-recurring (one-time) charges: \$0.00	23g. Ineligible non-recurring amt.: \$0.00
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$33,336.00	
23j. % discount (from Block 4): 84	
23k. Funding Commitment Request ( 23i x 23j): \$28,002.24	

FRN: 855497	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 595520000370566
13. SPIN: 143000465	14. Service Provider Name: Southwestern Bell Wireless Inc.
15. Contract Number: MTM	16. Billing Account Number:
17. Allowable Contract Date: 11/13/2001	18. Contract Award Date:
19a. Service Start Date: 07/01/2002	19b. Service End Date: 06/30/2003
20. Contract Expiration Date:	
21. Attachment #: SWBWIRELESS Attach	22. Block 4 Worksheet No.: 385033
23a. Monthly Charges: \$8,235.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$8,235.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$98,820.00	
23f. Annual non-recurring (one-time) charges: \$0.00	23g. Ineligible non-recurring amt.: \$0.00
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$98,820.00	
23j. % discount (from Block 4): 84	
23k. Funding Commitment Request ( 23i x 23j): \$83,008.80	

FRN: 855518	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 595520000370566
13. SPIN: 143001192	14. Service Provider Name: AT&T Corp.
15. Contract Number: MTM	16. Billing Account Number:
17. Allowable Contract Date: 11/13/2001	18. Contract Award Date:
19a. Service Start Date: 07/01/2002	19b. Service End Date: 06/30/2003
20. Contract Expiration Date:	
21. Attachment #: AT&T Attach	22. Block 4 Worksheet No.: 385033
23a. Monthly Charges: \$1,002.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$1,002.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$12,024.00	
23f. Annual non-recurring (one-time) charges: \$0.00	23g. Ineligible non-recurring amt.: \$0.00
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	

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C/O Ms. Smith  
3833 Greenway Drive  
Lawrence, KS 66048  
(888) 203-8100

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Schools and Libraries Division

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30. I certify that the entity(ies) I represent has complied with all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments.

31. I understand that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service receive an appropriate share of benefits from those services.

32. I recognize that I may be audited pursuant to the application. I will retain for five years any and all worksheets and other records that I rely upon to fill out this application, and, if audited, will make available to the Administrator such records.

33. I certify that I am authorized to submit this request on behalf of the above-named institution, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

34. Signature of authorized person

*Steve D. Finch*

35. Date 1-17-2002

36. Printed name of authorized person Steve D. Finch

37. Title or position of authorized person Chief Technology Officer

38. Telephone number of authorized person (405) 297-6585

471 Application Number: 315578  
OKLAHOMA CITY SCHOOL DIST I-89  
900 N KLEIN AVE  
OKLAHOMA CITY, OK 73105-7036

Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

The Americans with Disabilities Act, the Individuals with Disabilities Education Act and the Rehabilitation Act may impose obligations on entities to make the services purchased with these discounts accessible to and usable by people with disabilities.

**NOTICE TO INDIVIDUALS:** Section 54.504 of the Federal Communication Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Services Ordered and Certification Form (FCC Form 471) with the Universal Service Administrator, 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended, 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the personal information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation of potential violation of a FCC statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government, is a party of a proceeding before the body or has an interest in the proceeding.

If you owe a past due debt to the federal government, the taxpayer identification number (such as your social security number) and other information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide this information to these agencies through the matching of computer records when authorized.

With the exception of your social security number, if you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Privacy Act of 1974, Pub. L. No. 93-579, December 31, 1974, § U.S.C. § 552, and the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

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**HOME CANCEL HELP****FCC Form 471**

Services Ordered and Certification Form



Applicant's Form Identifier: OKCPS YR 5

Entity Number: 139831

Contact Person: Steve Finch

Phone Number: (405) 297-6430

**Block 6: Certifications and Signature**

Do not write in this area

471 Application Number: 315578

24. The entities listed in Block 4 of this application are eligible for support because they are:  
(check one or both)

- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the Elementary and Secondary Education Act of 1966, 20 U.S.C. Secs. 8801(14) and (25), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b. ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1956 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to) elementary and secondary schools, colleges and universities

25. The eligible schools and libraries listed in Block 4 of this application have secured access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to make effective use of the services purchased as well as to pay the discounted charges for eligible services.

26. All of the schools and libraries or library consortia listed in Block 4 of this application are covered by:

- a. ☐ an individual technology plan for using the services requested in this application; and/or
- b. ☒ higher-level technology plan(s) for using the services requested in this application; or
- c. ☐ no technology plan needed; applying for basic local distance telephone service only.

27. Status of technology plans (If representing multiple entities with mixed technology plan status, check both a and b):

- a. ☒ technology plan(s) has/have been approved; and/or
- b. ☐ technology plan(s) will be approved by a state or other authorized body; or
- c. ☐ no technology plan needed; applying for basic local and long distance telephone service only.

28. I certify that the entities eligible for support that I am representing have complied with all applicable state and local laws regarding procurements of services for which support is being sought.

29. I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.



ENTITY NUMBER	APPLICANT'S FORM IDENTIFIER	CONTACT PERSON	PHONE NUMBER
0000139831	OCPS YR 5	JOLYNN CRAIG	(405) 297-6430

SERVICE PROVIDER NAME/SPIN	CONTRACT NUMBER	FUNDING REQUEST
SOUTHWESTERN BELL WIRELESS, INC 143000465	MTM	\$98,820.00

DESCRIPTION OF SERVICE

Cellular telephone service for eligible District personnel. Includes multiple accounts.

ENTITY NUMBER	APPLICANT'S FORM IDENTIFIER	CONTACT PERSON	PHONE NUMBER
0000139831	OCPS YR 5	JOLYNN CRAIG	(405) 297-6430

SERVICE PROVIDER NAME/SPIN	CONTRACT NUMBER	FUNDING REQUEST
SOUTHWESTERN BELL 143004662	OK99016	\$573,960.00

DESCRIPTION OF SERVICE

Local telephone service including POTS, Centrex, DID trunks, 19.8kb data lines, ISDN lines and T-1's.  
Approximately 1,500 stations and 350 trunks; multiple accounts.

ENTITY NUMBER	APPLICANT'S FORM IDENTIFIER	CONTACT PERSON	PHONE NUMBER
0000139831	OCPS YR 5	JOLYNN CRAIG	(405) 297-6430

SERVICE PROVIDER NAME/SPIN	CONTRACT NUMBER	FUNDING REQUEST
PIONEER MESSAGING SOLUTIONS 143002395	MTM	\$20,250.00

#### DESCRIPTION OF SERVICE

Paging service for eligible District personnel. The Service Provider is new and pager numbers/service has not been established with the new provider and will not be established until the funding commitment is determined. Funding documentation is based upon actual current use by the current provider.

Number of Pagers	Monthly Amount	Monthly Total	Yearly Total
270	\$6.25	\$1687.50	\$20,250.00

**Affidavit of George Kimball**

State of Oklahoma     )  
                                      ) ss.  
County of Oklahoma    )

I, George Kimball, of lawful age, depose and state as follows:

1. I am employed by Oklahoma City Public Schools ("OCPS" or "District") as the Director of Planning, Research, and Evaluation. My duties have included overseeing the purchasing of cellular telephones and arranging for cellular telephone services to be provided to the District.
2. For Funding Year 2002, I was in charge of acquiring cellular telephone services. The State of Oklahoma solicited bids for cellular telephone service.
3. Cingular Wireless was awarded a contract by the State of Oklahoma. A copy of the contract is available at: [http://www.dcs.state.ok.us/OKDCS.NSF/htmlmedia/sw\\_contracts.html](http://www.dcs.state.ok.us/OKDCS.NSF/htmlmedia/sw_contracts.html) as SW105. As set forth in Paragraph 2.23 of the contract, school districts are authorized users of the contract and may purchase services according to the rate plans set forth in the contract.
4. In determining to utilize Cingular Wireless for the District's 2002-2003 fiscal year, the primary consideration was price. The State of Oklahoma conducted a competitive bidding process and selected Cingular Wireless as a service provider. The award of a contract by the State of Oklahoma evidenced that price was the primary factor in awarding the contract to Cingular Wireless. Therefore, the District selected Cingular Wireless based on the prices set forth in the State of Oklahoma contract. The District considered price as the primary factor in ordering month-to-month cellular services from Cingular Wireless based on the rates set forth in the State of Oklahoma contract.

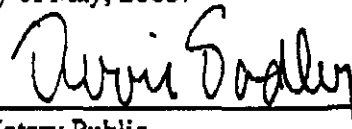


Dr. George Kimball  
Director of Planning, Research and Evaluation  
Oklahoma City Public Schools

Subscribed and sworn to before me this 7 day of May, 2003.

My commission expires: 2-20-07

My commission number: 03003012



Notary Public



**PIONEER MESSAGING SOLUTIONS  
BID PROPOSAL AS OF NOVEMBER 16<sup>TH</sup>,2001**

**OKLAHOMA CITY SCHOOLS  
ATTN: JOLYNN SLOAN  
FROM: KENNY MILLS**

**LEASE**

**ADVISOR GOLD (ALPHANUMERIC PAGER) \$2.00 PER MONTH**

**UNLIMITED PAGING AIRTIME \$1.75 PER MONTH**

**PAGER CARE \$2.50 PER MONTH  
(SHOULD YOUR PAGER MALFUNCTION IT WILL BE REPLACED FREE OF  
CHARGE. IF IT IS LOST, STOLEN, OR DESTROYED IT WILL BE REPLACED  
FOR \$50.00)**

<b>MONTHLY TOTAL</b>	<b>\$ 6.25 PER PAGER</b>
<b>QUARTERLY TOTAL</b>	<b>\$18.75 PER PAGER</b>
<b>SEMI-ANNUAL TOTAL</b>	<b>\$37.50 PER PAGER</b>
<b>ANNUAL TOTAL</b>	<b>\$75.00 PER PAGER</b>

**NUMERIC RECALL (FREE)  
(EVEN IF YOU TRAVEL OUTSIDE YOUR COVERAGE AREA, YOU CAN  
STILL RETRIEVE YOUR LAST 10 NUMERIC PAGES.)**

**STATEWIDE COVERAGE (FREE)**

**ACTIVATION FEE (FREE)**

**WILL LEAVE YOU 3 SPARE PAGERS FOR CHANGE OUTS (FREE)  
(ALL YOU HAVE TO DO IS CALL OUR OFFICE BETWEEN 8:30 A.M.-5:00  
P.M. MONDAY THRU FRIDAY,GIVE US YOUR PAGER NUMBER AND THE  
NEW CAP CODE NUMBER. AT THAT TIME WE WILL CHANAGE OUT  
YOUR PAGER AND SEND YOU A TEST PAGE.)**

**Pioneer**

Account Name

Account No.

Bill Date

OKC SCHOOLS/ PRINCIPALS

PTCP011112

02/28/2003

Printing SolutionsConnection Account - 19706 Phone - 405-699-8190Connection Account - 19707 Phone - 405-699-8191

. NICHOLS HILLS

Code	Description	From	Thru	Qty	Rate	Total
30-050	ALPHA PAGING AIRTIME	03/01/03	03/31/03	1	6.25	6.25
30-044	ALPHA PAGER	03/01/03	03/31/03	1	1.00	1.00

Subtotal..... 7.25

Taxes

State

0.00

Federal

0.00

Total Taxes..... 0.00

Connection Account - 19708 Phone - 405-699-8192

ESTWOOD

Code	Description	From	Thru	Qty	Rate	Total
30-050	ALPHA PAGING AIRTIME	03/01/03	03/31/03	1	6.25	6.25
30-044	ALPHA PAGER	03/01/03	03/31/03	1	1.00	1.00

Subtotal..... 7.25

Taxes

State

0.00

Federal

0.00

Total Taxes..... 0.00

Connection Account - 19709 Phone - 405-699-8193

HEMLER

Code	Description	From	Thru	Qty	Rate	Total
30-044	ALPHA PAGER	03/01/03	03/31/03	1	1.00	1.00
30-050	ALPHA PAGING AIRTIME	03/01/03	03/31/03	1	6.25	6.25

Subtotal..... 7.25

Taxes

State

0.00

Federal

0.00

Total Taxes..... 0.00

## FUNDING COMMITMENT REPORT

Form 471 Application Number: 315578  
Funding Request Number: 851657 Funding Status: Funded  
Services Ordered: Telecommunications Service  
SPIN: 143000893 Service Provider Name: Nextel West Corp.  
Contract Number: MTM  
Billing Account Number: N/A  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 06/30/2003  
Annual Pre-discount Amount for Eligible Recurring Charges: \$33,336.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-Discount Amount: \$33,336.00  
Discount Percentage Approved by the SLD: 84%  
Funding Commitment Decision: \$28,002.24 - FRN approved as submitted

Funding Request Number: 855497 Funding Status: Not Funded  
Services Ordered: Telecommunications Service  
SPIN: 143000465 Service Provider Name: Southwestern Bell Wireless Inc  
Contract Number: MTM  
Billing Account Number: N/A  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 06/30/2003  
Annual Pre-discount Amount for Eligible Recurring Charges: \$97,396.80  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-Discount Amount: \$97,396.80  
Discount Percentage Approved by the SLD: N/A  
Funding Commitment Decision: \$0.00 - Bidding Violation  
Funding Commitment Decision Explanation: Documentation provided demonstrates that price was not the primary factor in selecting this service provider's proposal.

Funding Request Number: 855518 Funding Status: Funded  
Services Ordered: Telecommunications Service  
SPIN: 143001192 Service Provider Name: AT&T Corp.  
Contract Number: MTM  
Billing Account Number: N/A  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 06/30/2003  
Annual Pre-discount Amount for Eligible Recurring Charges: \$12,024.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-Discount Amount: \$12,024.00  
Discount Percentage Approved by the SLD: 84%  
Funding Commitment Decision: \$10,100.16 - FRN approved as submitted

Funding Request Number: 855588 Funding Status: Not Funded  
Services Ordered: Telecommunications Service  
SPIN: 143004682 Service Provider Name: Southwestern Bell Telephone Cor  
Contract Number: OK99016  
Billing Account Number: N/A  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 06/30/2005  
Annual Pre-discount Amount for Eligible Recurring Charges: \$550,782.24  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-Discount Amount: \$550,782.24  
Discount Percentage Approved by the SLD: N/A  
Funding Commitment Decision: \$0.00 - Contract Violation  
Funding Commitment Decision Explanation: The contract expiration date on Form 471 for the current funding year has changed from what was reported on the previous year's Form 471.

## FUNDING COMMITMENT REPORT

Form 471 Application Number: 315578  
Funding Request Number: 855634 Funding Status: Not Funded  
Services Ordered: Telecommunications Service  
SPIN: 143002395 Service Provider Name: Pioneer Tel. Coop. Inc.  
Contract Number: MTM  
Billing Account Number: N/A  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 06/30/2003  
Annual Pre-discount Amount for Eligible Recurring Charges: \$20,250.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-Discount Amount: \$20,250.00  
Discount Percentage Approved by the SLD: N/A  
Funding Commitment Decision: \$0.00 - Incl. svcs./ or product(s)  
Funding Commitment Decision Explanation: 30% or more of this FRN includes a request for Pager Care which is an ineligible service based on program rules.

Funding Request Number: 856873 Funding Status: Not Funded  
Services Ordered: Internal Connections  
SPIN: 143005607 Service Provider Name: IBM Corporation  
Contract Number: N/A  
Billing Account Number: N/A  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 06/30/2003  
Annual Pre-discount Amount for Eligible Recurring Charges: \$.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$19,527,603.00  
Pre-Discount Amount: \$19,527,603.00  
Discount Percentage Approved by the SLD: N/A  
Funding Commitment Decision: \$0.00 - Program Rule Violations  
Funding Commitment Decision Explanation: Vendor selected by RFP, not 470; 470 said no RFP; services for which funding sought not defined when vendor selected; price of services not a factor in vendor selection; price of services set after vendor selection.

Funding Request Number: 856918 Funding Status: Not Funded  
Services Ordered: Internal Connections  
SPIN: 143005607 Service Provider Name: IBM Corporation  
Contract Number: N/A  
Billing Account Number: N/A  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 06/30/2003  
Annual Pre-discount Amount for Eligible Recurring Charges: \$.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$2,456,908.00  
Pre-Discount Amount: \$2,456,908.00  
Discount Percentage Approved by the SLD: N/A  
Funding Commitment Decision: \$0.00 - Program Rule Violations  
Funding Commitment Decision Explanation: Vendor selected by RFP, not 470; 470 said no RFP; services for which funding sought not defined when vendor selected; price of services not a factor in vendor selection; price of services set after vendor selection.

Funding Request Number: 857000 Funding Status: Not Funded  
Services Ordered: Internal Connections  
SPIN: 143005607 Service Provider Name: IBM Corporation  
Contract Number: N/A  
Billing Account Number: N/A  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 06/30/2003  
Annual Pre-discount Amount for Eligible Recurring Charges: \$.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$724,337.00  
Pre-Discount Amount: \$724,337.00  
Discount Percentage Approved by the SLD: N/A  
Funding Commitment Decision: \$0.00 - Program Rule Violations  
Funding Commitment Decision Explanation: Vendor selected by RFP, not 470; 470 said no RFP; services for which funding sought not defined when vendor selected; price of services not a factor in vendor selection; price of services set after vendor selection.



## FUNDING COMMITMENT REPORT

Form 471 Application Number: 315578  
Funding Request Number: 857038 Funding Status: Not Funded  
Services Ordered: Internal Connections  
SPIN: 143005607 Service Provider Name: IBM Corporation  
Contract Number: N/A  
Billing Account Number: N/A  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 06/30/2003  
Annual Pre-discount Amount for Eligible Recurring Charges: \$.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$5,141,508.00  
Pre-Discount Amount: \$5,141,508.00  
Discount Percentage Approved by the SLD: N/A  
Funding Commitment Decision: \$0.00 - Program Rule Violations  
Funding Commitment Decision Explanation: Vendor selected by RFP, not 470; 470 said no RFP; services for which funding sought not defined when vendor selected; price of services not a factor in vendor selection; price of services set after vendor selection.

Funding Request Number: 857097 Funding Status: Not Funded  
Services Ordered: Internal Connections  
SPIN: 143005607 Service Provider Name: IBM Corporation  
Contract Number: N/A  
Billing Account Number: N/A  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 06/30/2003  
Annual Pre-discount Amount for Eligible Recurring Charges: \$.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$952,554.00  
Pre-Discount Amount: \$952,554.00  
Discount Percentage Approved by the SLD: N/A  
Funding Commitment Decision: \$0.00 - Program Rule Violations  
Funding Commitment Decision Explanation: Vendor selected by RFP, not 470; 470 said no RFP; services for which funding sought not defined when vendor selected; price of services not a factor in vendor selection; price of services set after vendor selection.

Funding Request Number: 857134 Funding Status: Not Funded  
Services Ordered: Internet Access  
SPIN: 143005607 Service Provider Name: IBM Corporation  
Contract Number: N/A  
Billing Account Number: N/A  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 06/30/2003  
Annual Pre-discount Amount for Eligible Recurring Charges: \$3,804,000.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$25,000.00  
Pre-Discount Amount: \$3,829,000.00  
Discount Percentage Approved by the SLD: N/A  
Funding Commitment Decision: \$0.00 - Program Rule Violations  
Funding Commitment Decision Explanation: Vendor selected by RFP, not 470; 470 said no RFP; services for which funding sought not defined when vendor selected; price of services not a factor in vendor selection; price of services set after vendor selection.

Funding Request Number: 857185 Funding Status: Not Funded  
Services Ordered: Internal Connections  
SPIN: 143005607 Service Provider Name: IBM Corporation  
Contract Number: N/A  
Billing Account Number: N/A  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 06/30/2003  
Annual Pre-discount Amount for Eligible Recurring Charges: \$.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$2,785,341.00  
Pre-Discount Amount: \$2,785,341.00  
Discount Percentage Approved by the SLD: N/A  
Funding Commitment Decision: \$0.00 - Program Rule Violations  
Funding Commitment Decision Explanation: Vendor selected by RFP, not 470; 470 said no RFP; services for which funding sought not defined when vendor selected; price of services not a factor in vendor selection; price of services set after vendor selection.

## FUNDING COMMITMENT REPORT

Form 471 Application Number: 315578  
Funding Request Number: 857238 Funding Status: Not Funded  
Services Ordered: Internal Connections  
SPIN: 143005607 Service Provider Name: IBM Corporation  
Contract Number: N/A  
Billing Account Number: N/A  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 06/30/2003  
Annual Pre-discount Amount for Eligible Recurring Charges: \$.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$4,616,908.00  
Pre-Discount Amount: \$4,616,908.00  
Discount Percentage Approved by the SLD: N/A  
Funding Commitment Decision: \$0.00 - Program Rule Violations  
Funding Commitment Decision Explanation: Vendor selected by RFP, not 470; 470 said no RFP; services for which funding sought not defined when vendor selected; price of services not a factor in vendor selection; price of services set after vendor selection.

Funding Request Number: 857270 Funding Status: Not Funded  
Services Ordered: Internal Connections  
SPIN: 143005607 Service Provider Name: IBM Corporation  
Contract Number: N/A  
Billing Account Number: N/A  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 06/30/2003  
Annual Pre-discount Amount for Eligible Recurring Charges: \$.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$7,754,281.00  
Pre-Discount Amount: \$7,754,281.00  
Discount Percentage Approved by the SLD: N/A  
Funding Commitment Decision: \$0.00 - Program Rule Violations  
Funding Commitment Decision Explanation: Vendor selected by RFP, not 470; 470 said no RFP; services for which funding sought not defined when vendor selected; price of services not a factor in vendor selection; price of services set after vendor selection.

Funding Request Number: 857296 Funding Status: Not Funded  
Services Ordered: Internal Connections  
SPIN: 143005607 Service Provider Name: IBM Corporation  
Contract Number: N/A  
Billing Account Number: N/A  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 06/30/2003  
Annual Pre-discount Amount for Eligible Recurring Charges: \$.00  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$1,340,722.00  
Pre-Discount Amount: \$1,340,722.00  
Discount Percentage Approved by the SLD: N/A  
Funding Commitment Decision: \$0.00 - Program Rule Violations  
Funding Commitment Decision Explanation: Vendor selected by RFP, not 470; 470 said no RFP; services for which funding sought not defined when vendor selected; price of services not a factor in vendor selection; price of services set after vendor selection.